



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 071-16 825 ROBLE LANE MODIFICATIONS NOVEMBER 9, 2016

APPLICATION OF TRISH ALLEN, AGENT FOR CAMMIE & MARK BELL, 825 ROBLE LANE, APN 019-252-008 & 019-252-009, E-1 ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS/ACRE (MST2016-00048) CONTINUED FROM OCTOBER 12, 2016 HEARING

The proposed project would add a new 645 square foot third-story to an existing 1,778 square foot, two-story single-family residence with an existing 379 square foot attached two-car garage. The proposal includes a 265 square foot deck at the third floor level with a trellis, chimney and fireplace, a 30 square foot first-floor addition, and demolition of 13 square feet of the second floor. The project includes a Voluntary Lot Merger of the subject lot and the adjacent small vacant lot to the east. The proposed total of 2,819 square feet on a 10,646 square foot lot in the Hillside Design District is 74% of the allowable maximum floor-to-lot area ratio (FAR). The existing house and the proposed additions encroach into the required front and interior setbacks.

The discretionary applications required for this project are:

1. Front Setback Modification to allow additions and alterations in the required 30 foot front setback (SBMC §28.15.060 and §28.92.110);
2. Interior Setback Modification to allow additions and alterations in the required 10-foot interior setback (SBMC §28.15.060 and §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301, Existing Facilities, and 15305, Minor Alterations In Land Use Limitations.

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and one person appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, October 6, 2016.
2. Site Plans
3. Correspondence received in opposition to or with concerns on the project:
 - a. Jeanne & Michael Palumbo, Santa Barbara, CA
 - b. Neil Greenleaves, Santa Barbara, CA

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

- I. Denied the requested Front and Interior Setback Modifications making the following findings and determinations that the Modifications are not consistent with the purposes and intent of the Zoning Ordinance and the proposed improvement is not appropriate on the lot. The proposed setback encroachments are not appropriate because the new third story, including the roof eaves, would be located too close to Roble Lane and too close to the western property line and adjacent neighbor.
- II. Approved reduced encroachments of the Front and Interior Setback Modifications to allow the proposed building addition to be located 15 feet from the front property line and nine feet from the interior property line making the following findings and determinations that:
 - A. The Front Setback Modification to allow the proposed third floor above the existing garage is consistent with the purposes and intent of the Zoning Ordinance, and necessary to secure an appropriate improvement on the lot with the extent of setback encroachments reduced to encroach 15 feet into the front setback, measured to the exterior walls, and roof eave overhangs may match the first floor eaves of the existing house. This degree of encroachment into the required front setback is not anticipated to be inconsistent with the pattern of development along Roble Lane.
 - B. The Interior Setback Modification to allow the proposed third floor above the existing garage is consistent with the purposes and intent of the Zoning Ordinance, and necessary to secure an appropriate improvement on the lot with the extent of setback encroachments reduced to encroach one foot into the interior setback, measured to the exterior walls, and roof eave overhangs may match the first floor eaves of the existing house. This degree of encroachment into the required interior setback would not negatively impact the adjacent neighbor.
- III. Said approval is subject to the condition that the width of the chimney and the height, if possible, shall be reduced as much as feasible, subject to the review and approval of the Single Family Design Board.

This motion was passed and adopted on the 9th day of November, 2016 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Staff Hearing Officer at its meeting of the above date.



Jennifer Sanchez, Commission Secretary

Date 11/10/16

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for **Single Family Design Board (SFDB)** approval and then a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.

